

## Stark County Planning and Zoning Commission Minutes

March 1, 2018  
3:00 PM

Chairman Russ Hoff called the meeting of the Stark County Planning and Zoning Commission to order. Chairman Russ Hoff, Jay Elkin, Kurt Froelich, Daneen Dressler and Byron Richard were present, and absent were Scott Decker, Sue Larsen, Klayton Oltmanns, and Duane Grundhauser. Also present were County Planner Steve Josephson, State's Attorney Tom Henning, Assistant State's Attorney Amanda Engelstad and Nicole Roberts of the Auditor's office.

Jay Elkin moved to approve the minutes from the December 28, 2017 meeting. Kurt Froelich seconded. All voted Aye and motion carried.

Chairman Hoff opened the public hearing on a request from Jeremy Allen. The request is for a Variance to the maximum square footage requirement for an accessory structure. The property is located at 9977 36B Street SW on Lot 4 Block 1 of Bakken Estates Subdivision and is approximately 2.34 acres.

Chairman Hoff asked anyone to speak either for or against the zoning for Jeremy Allen. Duane Schwab voiced his concern on following the current covenants. Sheila Rothstein voiced her concerns that Jeremy Allen does not comply with the covenants. Chairman Hoff closed the public hearing.

Jay Elkin moved to recommend to the Stark County Board of Commissioners the approval for the variance for Jeremy Allen for personal use, following HOA covenants and staff recommendations. Byron Richard seconded. Roll call vote. All voted Aye and the motion carried.

**STAFF RECOMMENDATION:** Approval of the proposed variance based upon the findings listed above and subject to the following conditions;

1. **The detached accessory structure shall be limited to 1,560 square feet.**
2. **The maximum height of the accessory structure shall be 16 feet.**
3. **The exterior of the detached accessory structure shall generally match the outside appearance of the primary residence.**
4. **The applicant shall revise the plot plan submitted with their building permit application to show the proposed detached accessory structure does not encroach into the lot's front yard.**

Under Planner Items County Planner Steve Josephson gave a brief presentation regarding amending the Zoning Ordinance to address medical marijuana. County Planner Josephson handed out a draft medical marijuana ordinance and asked the Planning and Zoning Board for discussion and direction. General direction was for staff to continue to work on draft zoning ordinance changes and forward information to Board members as the State of North Dakota continues to draft rules.

Jay Elkin moved to adjourn, Daneen Dressler seconded.